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#8

PTO/SB/36 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST TO RESCIND PREVIOUS
NONPUBLICATION REQUEST
35 U.S.C. 122(b)(2)(B)(ii)

Application Number	09/865,792
Filing Date	5/25/2001
First Named Inventor	Jean Pierre Giraud
Title	A DUAL WALL INSULATED CUP ASSEMBLY AND METHOD OF MANUFACTURING AN INSULATED CUP ASSEMBLY
Atty Docket Number	5094.056
Group Art Unit	3727
Examiner	Pollard, Steven M.

I hereby **rescind** the previous request that the above-identified application not be published under 35 U.S.C. 122(b).

October 28, 2002

Date

Signature

Barry J. Schindler

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b).

Note: Filing this rescission of a previous nonpublication request is considered the notice of a subsequent foreign or International filing required by 35 USC 122(b)(2)(B)(iii) and 37 CFR 1.213(c) if this rescission is filed no later than forty-five days (45) days after the date of filing of such foreign or international application. See 37 CFR 1.137(f) if a notice of subsequent foreign or International filing required by 35 USC 122(b)(2)(B)(iii) and 37 CFR 1.213(c) is **not** filed within forty-five days (45) days after the date of filing of the foreign or international application.

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box PG Pub, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)

Signature

Date

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(b). The information is used by the public to rescind a previously filed request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that rescission). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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PTO/SB/17 (10-01)

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FEE TRANSMITTAL
for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 1280)

Complete if Known

Application Number	09/865,792
Filing Date	5/25/01
First Named Inventor	Jean Pierre Giraud
Examiner Name	Steven M. Pollard
Group Art Unit	3727
Attorney Docket No.	5094.056

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:Deposit Account Number
Deposit Account Name Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17 Applicant claims small entity status.
See 37 CFR 1.272. Payment Enclosed: Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity
Fee Code (\$ Fee Code (\$)101 740 201 370 Utility filing fee
106 330 206 165 Design filing fee
107 510 207 255 Plant filing fee
108 740 208 370 Reissue filing fee
114 160 214 80 Provisional filing feeFee Paid

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims -20** = x =
Independent Claims - 3** = x =
Multiple Dependent = Large Entity Small Entity
Fee Code (\$ Fee Code (\$)103 18 203 9 Claims in excess of 20
102 84 202 42 Independent claims in excess of 3
104 280 204 140 Multiple dependent claim, if not paid
109 84 209 42 ** Reissue independent claims over original patent
110 18 210 9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65 Surcharge - late filing fee or oath	<input type="text"/>
127	50	227 25 Surcharge - late provisional filing fee or cover sheet	<input type="text"/>
139	130	139 130 Non-English specification	<input type="text"/>
147	2,520	147 2,520 For filing a request for ex parte reexamination	<input type="text"/>
112	920*	112 920* Requesting publication of SIR prior to Examiner action	<input type="text"/>
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	<input type="text"/>
115	110	215 55 Extension for reply within first month	<input type="text"/>
116	400	216 200 Extension for reply within second month	<input type="text"/>
117	920	217 460 Extension for reply within third month	<input type="text"/>
118	1,440	218 720 Extension for reply within fourth month	<input type="text"/>
128	1,960	228 980 Extension for reply within fifth month	<input type="text"/>
119	320	219 160 Notice of Appeal	<input type="text"/>
120	320	220 160 Filing a brief in support of an appeal	<input type="text"/>
121	280	221 140 Request for oral hearing	<input type="text"/>
138	1,510	138 1,510 Petition to institute a public use proceeding	<input type="text"/>
140	110	240 55 Petition to revive - unavoidable	<input type="text"/>
141	1,280	241 640 Petition to revive - unintentional	1280
142	1,280	242 640 Utility issue fee (or reissue)	<input type="text"/>
143	460	243 230 Design issue fee	<input type="text"/>
144	620	244 310 Plant issue fee	<input type="text"/>
122	130	122 130 Petitions to the Commissioner	<input type="text"/>
123	50	123 50 Processing fee under 37 CFR 1.17(q)	<input type="text"/>
126	180	126 180 Submission of Information Disclosure Stmt	<input type="text"/>
581	40	581 40 Recording each patent assignment per property (times number of properties)	<input type="text"/>
146	740	246 370 Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="text"/>
149	740	249 370 For each additional invention to be examined (37 CFR § 1.129(b))	<input type="text"/>
179	740	279 370 Request for Continued Examination (RCE)	<input type="text"/>
169	900	169 900 Request for expedited examination of a design application	<input type="text"/>
Other fee (specify) Ext. For Filing TM Statement of Use			<input type="text"/>

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

1280

SUBMITTED BY		Complete if applicable		
Name (Print/Type)	Barry J. Schindler	Registration No. (Attorney/Agent)	32,938	Telephone
Signature		Date	10/28/2002	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Jean Pierre Giraud

SERIAL NO.: 09/865,792

FILED: May 25, 2001

ATTY. DOCKET: 5094.056

TITLE: **A DUAL WALL INSULATED CUP ASSEMBLY AND
METHOD OF MANUFACTURING AN INSULATED CUP ASSEMBLY**

EXPRESS MAIL CERTIFICATE

Express Mail Label No. EL 893731302 US

Date of Deposit: October 28, 2002

I hereby certify that the following attached paper(s) and/or fee

- (1) Request to Rescind Previous Non Publication Request
35 U.S.C. 1229b)(2)(b)(ii);
- (2) Express Mail Certificate;
- (3) Petition to Revive Under 37 C.F.R. 1.137 (f);
- (4) Credit Card Form PTO-2038 in the amount of \$1280.00;
- (5) A self-addressed stamped postcard, return of which is requested to acknowledge receipt
of the enclosed documents.

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. Section 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Box DAC, Washington, DC 20231"

Respectfully submitted,
DREIER & BARITZ LLP


Randi Flamenbaum

Randi Flamenbaum

Dated: October 28, 2002

CORRESPONDENCE:

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